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February 1, 2005

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Federal Communications Commission
Office of Secretary

By Hand Delivery

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

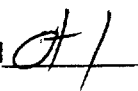
Re: Ex Parte Notice in CS Docket No. 98-120

Dear Ms. Dortch:

On January 31, 2005, Jim Yager, President of Barrington Broadcasting Company, Bob Lee, President and General Manager of WDBJ-TV, Jonathan Blake and the undersigned of Covington & Burling, David Honig, Executive Director of Minority Media and Telecommunications Council, Chris Schepis, Government Relations Representative of National Farmers Union, Debbie Goldman, Research Economist for Communications Workers of America, Billy Senter of Kimmitt Senter Coates & Weinfurter on behalf of the Alliance for Rural Television (including Women Involved in Farm Economics, the National Farmers Union, the American Corn Growers Association, the National Farmers Organization, the National Grange, and the Soybean Producers of America), and Margaret Tobey of Morrison & Foerster, met with Commissioner Adelstein and his Legal Advisor, Eric Bash. On the same date, Messrs. Yager, Lee, Blake, Honig, Schepis, and Mss. Goldman and Tobey, and the undersigned, met with Commissioner Copps and his Senior Legal Advisor, Jordan Goldstein.

At these meetings, the parties discussed the impact on consumers and television broadcasters of an FCC decision allowing cable operators to act as gatekeepers with respect to the free, digital multicast programming streams offered by television stations in their local markets. The parties described the public benefits of such programming, including increased diversity and localism, and the important contribution that such additional programming streams can make to the survival of over-the-air television stations and to their viability as competitors to multichannel video programming providers. These additional programming services are also likely to spur consumers to invest in digital technology, thus hastening the digital transition, and to create new jobs for America's skilled communications workers. The parties emphasized, however, that new multicast programming offerings will not survive and

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deliver these benefits if they are not carried by cable systems and that reliance on voluntary carriage is not sufficient to ensure carriage.

The parties also urged the Commission to defer action on this issue in light of Congress' express intent to take up comprehensive DTV legislation this year that would adopt a "hard date" for the conclusion of the DTV transition. Adopting digital carriage requirements against the backdrop of a DTV transition statute that is certain to be changed – particularly when such carriage requirements are unlikely to go into effect for years – threatens to cause irreparable damage to the DTV transition and deny consumers the very benefits it was intended to deliver.

Pursuant to Section 1.1206(b) of the Commission's Rules, an original and one copy of this letter are being submitted to the Secretary's office, with a copy to those at the FCC who participated in the meetings.

Please direct any questions regarding this notice to the undersigned.

Respectfully submitted,



Jennifer A. Johnson

cc: Commissioner Adelstein
Commissioner Copps
Eric Bash
Jordan Goldstein